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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 DARRYL HENDERSON,
15 Defendant.
16

Case No. 2:20-cr-00363-APG-VCF

**STIPULATION TO CONTINUE
PRETRIAL MOTION DEADLINES**
(Second Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
18 Acting United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel
19 for the United States of America, and Rene L. Valladares, Federal Public Defender, and
20 Rebecca A. Levy, Assistant Federal Public Defender, counsel for Darryl Henderson, that the
21 previously ordered deadline for filing of pretrial motions be vacated and that the parties herein
22 shall have to and including March 19, 2021, within which to file the Defendant's pretrial
23 motions currently due March 5, 2021.

24 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
25 shall have to and including April 2, 2021, to file any and all responsive pleadings, currently due
26 March 19, 2021.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including April 9, 2021, to file any and all replies to dispositive motions,
3 currently due March 26, 2021.

4 The Stipulation is entered into for the following reasons:

5 1. Counsel for the defendant needs additional time to review discovery, conduct
6 further investigation in this case in order to determine whether there are any pretrial issues that
7 must be litigated and whether the case will ultimately go to trial or will be resolved through
8 negotiations.

9 2. The defendant is not incarcerated and does not object to the continuance.

10 3. The parties agree to the continuance.

11 4. The additional time requested herein is not sought for purposes of delay, but
12 merely to allow counsel for defendant sufficient time within which to discuss the proposed
13 resolution with his client.

14 5. Additionally, denial of this request for continuance could result in a miscarriage
15 of justice.

16 This is the second stipulation to continue filed herein.

17 DATED this 4th day of March 2021.

18 RENE L. VALLADARES
19 Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

20 */s/ Rebecca A. Levy*
21 By _____

22 REBECCA A. LEVY
Assistant Federal Public Defender

/s/ Bianca R. Pucci
By _____

BIANCA R. PUCCI
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DARRYL HENDERSON,

7 Defendant.

Case No. 2:20-cr-00363-APG-VCF

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

9
10 **FINDINGS OF FACT, CONCLUSIONS OF LAW**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. Counsel for the defendant needs additional time to review discovery, conduct
14 further investigation in this case in order to determine whether there are any pretrial issues that
15 must be litigated and whether the case will ultimately go to trial or will be resolved through
16 negotiations.

17 2. The defendant is not incarcerated and does not object to the continuance.

18 3. The parties agree to the continuance.

19 4. The additional time requested herein is not sought for purposes of delay, but
20 merely to allow counsel for defendant sufficient time within which to discuss the proposed
21 resolution with his client.

22 5. Additionally, denial of this request for continuance could result in a miscarriage
23 of justice.

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ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including March 19, 2021, within which to file the Defendant's pretrial motions.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including April 2, 2021, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including April 9, 2021, to file any and all replies to dispositive motions.

DATED this 5th day of March 2021.



UNITED STATES DISTRICT JUDGE